

**NEBRASKA SCHOOL ACTIVITIES ASSOCIATION
OPEN MEETING / INSPECTION OF RECORDS POLICY**

The Nebraska School Activities Association (NSAA) shall comply with the requirements of Neb. Rev. Stat. §§84-712 through 84-712.08, relating to the inspection of public records, and the Nebraska Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 through 84-1414, as amended by the Nebraska Unicameral, relating to open and public meetings, to the extent that such records and meetings relate to the association's activities with respect to member schools, and subject to the provisions and limitations set forth below required in the exercise of judicial and administrative authority and the legislative procedure and authority of the different NSAA governing bodies set forth in the Constitution and By-Laws of the NSAA. Such voluntary compliance by the NSAA shall not be deemed to subject the NSAA to such laws except to the extent such laws are applicable to the NSAA.

I. INSPECTION OF RECORDS POLICY: Information requests from member schools or members of the public for copies of meeting minutes, historical data, or other non-confidential NSAA or member school information or documents can be provided upon approval of the Executive Director.

1. The NSAA will withhold from release to member schools and the public those records that are confidential. Records that are confidential are those that, if the NSAA were a public school district, or if the records were in the possession of a public school, could be withheld from the public under provisions of Neb. Rev. Stat. §84-712.05 or other law.

2. This policy shall not be construed to require the NSAA to produce or generate any record in a new or different form or format modified from that of the original record.

3. With regard to all requests for information, the following provisions shall apply:

A. There will not be a charge to the requesting party for the first one-half hour of staff time necessary to fulfill the information request; however, the cost of photocopies for any information requested shall be as set forth below.

B. Staff time will be charged in quarter-hour increments for all duties associated with the information request including employee time for making, certifying, compiling, and transmitting data.

C. Any additional staff time necessary to fulfill the initial information request in excess of one-half hour or the time it takes to fulfill subsequent information requests from the same individual or group within a one-year period will be charged at the actual hourly wage rate of the person(s) performing the work.

D. The first ten (10) pages of photocopies for member school, from the initial request, will be at no charge. After the initial ten (10) pages, or for subsequent requests within one year, the cost of copies will be at a rate of 25¢ per page.

E. The Minutes of the Board of Directors meetings are posted on the Association's web page, www.nsaahome.org, and only if the requesting person does not have access to the web site will copies of the Minutes be printed.

F. Payment for the staff time expended and/or the cost of copies is due upon receipt of the information. Fifty percent of the estimated cost of the requested information must be prepaid if the total cost of the requested information exceeds \$50.00.

II. OPEN MEETING PROVISIONS:

1. Judicial and Administrative Authority:

A. **Board of Directors:** The NSAA Board of Directors is the judicial and administrative body of the association. Meetings of the Board of Directors of the NSAA shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act, subject to the proviso that the Board of Directors shall not be required to comply with such statutes or to conduct open and public meetings or provide inspection of records when acting in a quasi-judicial capacity where the sole subject of such meeting or record, or portion thereof, pertains to the personnel information in records regarding a student, prospective student, or former student of any member school, including but not limited to birth records, medical records, academic records, performance or eligibility information and determination of the student to participate or to continue to participate in sponsored events, contests or activities; provided, however, where a meeting or record of such association is devoted in part to matters excepted in the preceding proviso, any portion of the meeting or record not subject to such exception shall be open to the public. Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. Public participation in the Board of Directors meetings shall be permitted only during a public comment agenda item at the beginning of such meeting. The designated method of providing public notice of the date, time, location and agenda of Board of Directors meetings shall be through posting on the NSAA website, nsaa.org. The minutes of each meeting of the Board of Directors shall be posted on the NSAA website, and published in the Nebraska School Activities Association Bulletin.

2. Legislative Procedure and Authority:

A. **District Meetings:** NSAA district meetings are legislative bodies of the association. Meetings of each of the six NSAA districts as legislative bodies shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Reasonable arrangements will be made to accommodate the public's right to hear the discussion and action taken at the meeting. Public participation in the district meetings shall be permitted only during a public comment agenda item at the beginning of such meeting, and shall not be permitted during the legislative debate and action by the representatives of the member schools. The designated method of providing public notice of the date, time, location and agenda of NSAA district meetings shall be through posting on the NSAA website, nsaa.org. The minutes of each meeting of a NSAA district shall be posted on the NSAA website.

B. **Legislative Commission:** NSAA Legislative Commission is a legislative body of the association required to consider and screen proposals for changes in the Constitution and By-Laws passed by the Districts to be submitted to the Representative Assembly. Meetings of the NSAA Legislative Commission as a legislative body shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Before taking final action on a proposed change in the Constitution or By-Laws of the NSAA, the NSAA Legislative Commission shall hold a

public hearing thereon and give at least seven (7) calendar days notice of the meeting at which such hearing will be held (reference, Nebraska Unicameral, Rule 3 – Committees, Section 14). Reasonable arrangements will be made to accommodate the public’s right to hear the discussion and action taken at the meeting. Public participation in the NSAA Legislative Commission meetings shall be permitted during the public hearing with regard to the proposals for changes in the Constitution or By-Laws of the NSAA. The designated method of providing public notice of the date, time, location and agenda of NSAA Legislative Commission meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of the NSAA Legislative Commission shall be posted on the NSAA website, and published in the Nebraska School Activities Association Bulletin.

C. Representative Assembly: NSAA Representative Assembly is a legislative body of the association responsible for establishing policy for the effective regulation of school activities for which the NSAA has been created by its member schools, including taking action on proposed changes in the Constitution and By-Laws of the NSAA approved by the Legislative Commission for placement on the Agenda of the Representative Assembly. Meetings of the NSAA Representative Assembly as a legislative body shall be subject to the inspection of public record statutes and the Nebraska Open Meetings Act. Reasonable arrangements will be made to accommodate the public’s right to hear the discussion and action taken at the meeting. No individual except members of the NSAA staff and Representative Assembly may address the Representative Assembly (reference, Nebraska Unicameral, Rule 2 – Rules of Procedure, Section 3, paragraph (i)). Members of the public will not be permitted to address the Representative Assembly. The designated method of providing public notice of the date, time, location and agenda of NSAA Representative Assembly meetings shall be through posting on the NSAA website, nsaahome.org. The minutes of each meeting of the NSAA Representative Assembly shall be posted on the NSAA website, and published in the Nebraska School Activities Association Bulletin.